

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MORGAN HELD,

Defendant.

USDC SDNY
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INFORMATION

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COUNT ONE

(Conspiracy to Commit Copyright Infringement)

The United States Attorney charges:

1. From at least in or about June 2003 up to and including in or about August 2004, in the Southern District of New York and elsewhere, MORGAN HELD, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, violations of Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Section 2319(b)(1).

2. It was a part and an object of the conspiracy that MORGAN HELD, the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did infringe a copyright for purposes of commercial advantage and private financial gain by the reproduction and distribution, including by electronic means, during a 180-day period, of ten and more copies and phonorecords, of one and more copyrighted works, which would

and did have a total retail value of more than \$2,500, in violation of Title 17, United States Code, Section 506(a)(1)(A), and Title 18, United States Code, Section 2319(b)(1).

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From at least in or about June 2003 through at least on or about August 23, 2004, co-conspirators not named as defendants herein created unauthorized copies of copyrighted motion pictures by filming presentations of those copyrighted motion pictures at theaters in Manhattan and elsewhere.

b. From in or about June 2003 through and including on or about August 23, 2004, HELD received unauthorized copies of approximately 100 different copyrighted motion pictures and used the internet to transmit those copies to another individual in exchange for approximately \$50 to \$100 per movie.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Copyright Infringement)

The United States Attorney further charges:

4. From at least in or about June 2003 up to and including in or about August 2004, MORGAN HELD, the defendant, unlawfully, willfully, and knowingly did infringe a copyright for

purposes of commercial advantage and private financial gain by the reproduction and distribution, including by electronic means, during a 180-day period, of ten and more copies and phonorecords, of one and more copyrighted works, which had a total retail value of more than \$2,500, to wit, HELD, while in New York, New York, among other places, received unauthorized copies of approximately 100 different copyrighted motion pictures and used the internet to transmit those copies to another individual in exchange for \$50 to \$100 per movie.

(Title 17, United States Code, Section 506(a)(1)(A) and Title 18, United States Code, Sections 2319(b)(1) and 2.)

Michael J. Garcia
MICHAEL J. GARCIA *MAA*
United States Attorney